

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

CHRISTOPHER JOHNSON, TATIANA

MANCE, CHRISTOPHER LYMON.

MARCUS JOHNSON, VERONICA RENDA,

and individually, and on behalf of all others

similarly situated,

Plaintiffs.

$$V.$$

TRINITY COURIERS, INC., TRINITY

COURIERS OF OHIO, INC., RUSH OF

OHIO, INC., TRINITY COURIERS OF

HOUSTON, INC., TRINITY COURIERS

OF KANSAS, INC., TRINITY COURIERS

OF ST. LOUIS, INC., TRINITY COURIERS

OF SAN ANTONIO, INC., TRINITY

COURIERS OF AUSTIN, INC., TRINITY

COURIERS OF DFW, INC., TRINITY

COURIERS OF MINNESOTA, INC., and

TRINITY COURIERS OF DENVER, INC.,

Defendants.

**JOINT MOTION FOR 60 DAY STAY OF CASE DEADLINES, INCLUDING ANSWER
DATES FOR PURPOSES OF MEDIATION**

Plaintiffs Christopher Lymon, Marcus Johnson, Christopher Johnson, Veronica Renda, and Tatiana Mance (“Plaintiffs”) and Defendants Trinity Couriers, Inc., Trinity Couriers of Ohio, Inc., Rush of Ohio, Inc., Trinity Couriers of Houston, Inc., Trinity Couriers of Kansas, Inc., Trinity Couriers of St. Louis, Inc., Trinity Couriers of San Antonio, Inc., Trinity Couriers of Austin, Inc.,

Trinity Couriers of DFW, Inc., Trinity Couriers of Minnesota, Inc., and Trinity Couriers of Denver, Inc., (collectively, “Trinity Couriers” or “Defendants”), have agreed to explore early resolution of this matter by way of an alternative dispute resolution process. Accordingly, and in the interests of the perseverance of the parties’ and judicial resources, the parties jointly request that the case be stayed until November 18, 2019, including the Defendants’ right to seek a *nunc pro tunc* extension of their answer deadlines.

1. Plaintiffs’ Complaint was filed on August 20, 2019, asserting claims under the Fair Labor Standards Act and related state wage and hour laws. Dkt. No. 1.

2. The Complaint was served on all Defendant entities between August 30, 2019 and September 5, 2019. Dkt. No. 8.

3. Defendants’ answers or responsive pleadings were due between September 20, 2019 and September 26, 2019.

4. On September 18, 2019, counsel for the Plaintiffs and Defendants’ in-house counsel conferred regarding the potential for early resolution of this matter, including the exchange of certain information necessary for each party to fully consider the potential issues for any such resolution.

5. In order to accommodate such discussions, the parties agreed and jointly propose a stay of proceedings until November 18, 2019 – 60 days from the date of the parties’ call.

6. Furthermore, to accommodate the parties’ settlement discussions, Defendants agree that, with respect to Plaintiffs’ claims under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, the statute of limitations is hereby tolled for all potential opt-in plaintiffs (using the FLSA Collective definition set forth in paragraph 47 of Plaintiffs’ Complaint, Dkt. 1), from the date of the filing of the Complaint until November 18, 2019.

7. By November 18, 2019, the parties shall file a joint report apprising the Court as to the status of their settlement discussions and outcome of their mediation, and if a settlement in principle has been reached, a schedule for the presentation of the settlement to the Court for its approval.

8. The Parties' request is made in good faith and not for purposes of delay.

Wherefore, the parties jointly request the Court enter an order staying the case until November 18, 2019.

October 2, 2019

MERRIMAN LEGANDO WILLIAMS
& KLANG, LLC

/s Drew Legando

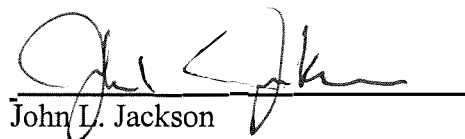
Drew Legando

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Respectfully submitted,



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Proposed FLSA Collective and State Law
Classes*

SO ORDERED this ____ day of _____, 2019

J.

PROOF OF SERVICE

A copy of this document was served by the Court's ECF System on counsel of record on October 2, 2019, pursuant to Fed. R. Civ. P. 5(b)(2)(E).

Signed by,

s/Drew Legando

Drew Legando (0084209)